

05 - 747 DEC 7 - 2005

No.

OFFICE OF THE CLERK

Supreme Court of the United States

Sophia J. Gibbons,
Petitioner,

v.

State of Florida, et al.,
Respondents.

On Petition For Extraordinary Writ Of
Mandamus
To the Eleventh Circuit Court
Of Appeal

IN RE SOPHIA J. GIBBONS

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QUESTIONS PRESENTED FOR REVIEW

1. Whether it was required of Judge Thomas McCoun to recuse himself under 28 U.S.C. 455(a) and 455(b); respectively; regarding said Judge's evident bias of overlooking prima facie evidence, eg. newly discovered 'classified materials', which were purposefully concealed to obstruct justice; barring Petitioner's Fourth, Fifth, and Fourteenth Amendment Constitutional rights?
2. Whether the District Court asserted undue bias in it's May 5, 2004 dismissal with prejudice for lack of jurisdiction of subject matter; infracting Rule 12 (b)(1), which does not warrant dismissal with prejudice?
3. Whether the District Court abused it's discretion by denying the Plaintiff her 0 day extension of time to secure process on James Mannos; when Court Record had previous documentation of Defendant Mannos's intent to elude service?
4. Whether the District Court illegally granted a dismissal

when the first tortfeasors did evade jurisdictional prosecution by filing fraudulent, bad faith, false affidavits; constituting perjury?

5. Whether statutes of limitations should have been ruled current by the lower Courts: so as to not bar the Florida Tolling Theory: since evidence does establish the applicability of the Delayed Discovery Doctrine?

6. Whether sovereign immunity is applicable to the GE and PS Defendants; due to their concurrent concealment of evidence, tampering, and intentional barment of Plaintiff's due process of law?

7. Whether the District Court illegally withheld a judgment of legal judgment of Default against the legally defaulting Defendant, U.S. Attorney General's Office of Nashville, Tennessee?

8. Whether the Defendants are allowed to alter Record I; by trying to add an unnamed, unserved party, as a Defendant during the time the case had already gone into appeal procedure?

ess, eg. the name of John Ashcroft suddenly appearing with counsel after the U.S. Attorney General's Office of Nashville had already legally defaulted in the lower court?

9. Can the lower courts contradict the usage of R. 1.540(b); by accepting the fraudulent pleadings, which were devised to obstruct justice?

10. Whether the Court needs to question the competency of any magistrate, who shows flagrant disrespect to the Federal stats., which do protect all minors from serious harm, as this case does represent armed kidnappers left free in our society unpunished by law for their heinous crimes in kidnappings case no. 81-10871, Sarasota County, Florida to date to wit, see PKPA , UCCJA , respectively?

11. Can the use of a stamp marked 'classified' bar justice and the Fourth, Fifth and Fourteenth Constitutional rights of Plaintiff, when it is done to cover up for the criminal neglect by governmental employees and political subdivisions?

12. Whether the 11th District Court of Appeal abused it's

discretion by affirming the biased dismissal of the lower court of May 5, 2005?

13. Whether the Middle District Court can contradict the usage and applicability of color of law; barring justice of the Plaintiff?

14. Whether the Middle District Court of Tampa showed undue bias by denying the Appellant's April 28, 2004's Petition for Mandamus Relief?

15. Whether the concurrent abuse of discretion of the lower courts can bar the equal protection of Plaintiff re: warranted release of the vital SAO#; to prosecute and extradite the kidnappers?

16. Whether this Court can review the truthful facts of this continuous tort; so that the entire case merits and genuine issues of great public importance; can be remanded to a judge who appears to be impartial?

SHERIFF WILLIAM BALKWILL (GE), no relief because said Defendant did conspire to conceal evidence, tamper and obstruct justice for Plaintiff while under color of law; he is currently Sheriff of Sarasota Co. CAPTAIN RICHARD BRIGGANCE (GE), no relief for Plaintiff, as Def. Briggance did under color of law tamper with files, conceal evidence and fraudulently obstruct justice, Briggance is Metro P.D. Chief, Nashville, Tn. EARL MORELAND (GE), State Attorney, Manatee and Sarasota County State Attorney barred relief under color of law by open and notoriously conspiring to obstruct justice of Plaintiff, conceal evidence, commit child-endangerment and failed to protect Plaintiff. DON C. EVANS, IND., armed kidnapper, who conspired and gave fraudulent accounts of his hired kidnappings X 4, concealment to bar relief; Evans was contracted by Defendants Hazens; to perpetrate armed abductions and felonious assault on Plaintiff, barring due process in Fifth Amendment. FDLE SARASOTA OFFICE (PS), under color of law

the law agency did conspire to conceal evidence, failed to protect and barred relief by infracting the Plaintiff's civil rights to due process. FLORIDA U.S. ATTORNEY GENERAL'S OFFICE (PS), the Political Subdivision did tamper and conspire to conceal evidence under color of law failed to protect and clearly obstructed justice. SOPHIA J. GIBBONS, pro se, who has concurrently been denied her Fourth, Fifth and Fourteenth Amendment rights due to the massive amount of conspiracies to conceal prima facie evidence, tampering and intentional obstruction of justice by the GE and PS Defendants on-going.

CAPTAIN GOODING (GE), employed by Sarasota Sheriff's Department under color of law, Gooding did conspire with said Defendant, Sarasota Sheriff's Department; to fail to equally protect, intentionally bar justice and relief for Plaintiff by barring due process of Plaintiff. MARGARET HAZEN, IND., perjured herself to conceal evidence of aiding abeting Raymond Hazen I, Don C. Evans, Leslie Telford

and Clifford Klaus to commit armed kidnappings, child endangerment, interference of custodial rights of Plaintiff, fraud to bar justice and due process relief For Plaintiff, Plaintiff rightfully seeks relief of extradition of Ohio kidnappers back down the line to Sarasota, Florida, child endangerment. RAYMOND D. HAZEN I, IND., hired armed gunman, Defendant Don C. Evans to do felonious kidnappings, perjury, fraud to obstruct justice, child endangerment, Plaintiff is thus far barred the civil rights to due process for warranted extradition back to the sovereign state of Florida; due to the conspired criminal neglect and failure to protect by said GE and PS Defs, who bar relief by criminally withholding the vital SAO# needed to prosecute, aiding and abeting armed kidnappers Defs. Hazens, et al. to flee justice. JUDGE ROBERT HENSLEY (GE), aided and abeted armed kidnappings by going against the UCCJA and PKPA, which does bar relief for Plaintiff, as this unscrupulous judge continues to conceal evidence to convict armed

felons, under color of law Defendant Hensley was and currently is intentionally barring justice and the civil rights of due process of Plaintiff and failure to protect. HRS OF MANATEE CO. (PS), the political subdivision did obstruct Justice by concealing evidence, aid and abet in child endangerment by Fraudulent acts of criminal neglect in HRS of Manatee County's intentional obstruction of justice and tampering while under color of law. GOVERNOR JEB BUSH (GE), the Governor Defendant did refuse to grant a "free-standing" investigation by the FBI after the continual obstruction of justice by previous conspiring Florida officials, said Defendant Bush did fail to protect and bar the warranted relief of Plaintiff by concealing prima facie (newly discovered classified docs.); barring due process of Plaintiff while he was under color of law. CLIFFORD KLAUS, IND., guilty of armed kidnappings x 4, fraud, concealment, barring justice , conspired obstruction of relief, felonious assault. JUDGE ROBERT LAVERY (GE), under

color of law did bar relief by fraudulent misrepresentation, failure to protect while acting, as a prosecutor, concurrent concealment of evidence by Lavery did bar relief by him concurrently and intentionally barring justice for Plaintiff. MANATEE SHERIFF'S DEPARTMENT (PS), the political subdivision did conspire neglect of Plaintiff's cause for relief on a concurrent basis by concealing and tampering of evidence, fraudulent statements, use of unconstitutional policies, failure to protect Plaintiff and conspired obstruction of justice on-going; barring Plaintiff's due process while under color of law. JAMES MANNOS, IND., this attorney did aid and abet armed kidnappers, Defendants Hazens, conceal, and purposefully conspire to obstruct justice. GEOFFREY MONGE (GE), former Sarasota Sheriff did use illegal stamp of "classified" to conceal and tamper with evidence under color of law. Said obstruction of justice was intentional perpetrated to bar the rightful relief, which the Plaintiff does seek to date to wit, which is the

Plaintiff's right to due process under the Fifth Amendment of the U.S. Constitution, Defendant Monge did fail to protect. JUDGE ROBERT MYLETT (GE), under color of law this judge did use misrepresentation and fraud; ignored the UCCJA and PKPA; failed to protect; barring relief by aiding and abetting the armed kidnappers found in #81-10871's newly discovered evidence of classified materials, which are found permanently attached to Record 1; conspired to bar justice by infracting the civil rights to due process of the Plaintiff, said conspired acts of fraud were done without jurisdiction since Florida remains the sovereign state in which extradition is sought for convictions and any further relief by the Plaintiff. OFFICE OF THE GOVERNOR OF OHIO (PS), said political subdivision did harbor the armed felons of kidnappings' case of 81-10871 by failing to protect the kidnapped victims, which include the Plaintiff. Under color of law this Defendant is answerable for its conspired fraud to obstruct justice, as all the GE and PS Defendants cited

herein are state actors, who are clothed in the power of the state. OFFICE OF THE GOVERNOR OF TENNESSEE (PS), this Political Subdivision under color of law did fail to protect by going against TCA 39-13-304; concealed evidence, barred relief by conspiring to obstruct justice; and deleted the purpose of the Parental Kidnapping Prevention Act and UCCJA, passed October 1980; barring the Fourth. Fifth. And Fourteenth Amendment rights of said Plaintiff.

OFFICE OF THE GOVERNOR OF WEST VIRGINIA (PS), under color of did conspire to obstruct justice, fail to protect by using customs and practices, which are unconstitutional; barring relief for Plaintiff. OHIO DEPARTMENT OF HUMAN SERVICES (PS), the concurrent criminal neglect of this Political Subdivision caused interference of Plaintiff's custodial rights by concealment of evidence pertaining to the Sarasota kidnappings; causing further obstruction and relief for Plaintiff Said Ohio Department of Human Services did these unconstitutional acts under color of